

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BECKLEY DIVISION**

**MICHAEL ROSE; BRYAN STAFFORD, as  
Executor of the Estate of THOMAS FLEENOR, JR.;  
JOHN CRABTREE; STEVEN MARTIN; JACOB  
BEAVERS; GARY TOLER; ELGIE ADKINS;  
TYLER CHILDERS, and SABRINA EAGLE, on  
behalf of themselves and others similarly situated,**

**Plaintiffs,**

**v.**

**Civil Action No. 5:22-cv-405  
The Honorable Frank W. Volk**

**THE RALEIGH COUNTY COMMISSION; DAVID  
TOLLIVER, in his capacity as a Raleigh County  
Commissioner; LINDA EPLING, in her capacity as a  
Raleigh County Commissioner; RON HENRICK, in  
his capacity as a Raleigh County Commissioner;  
GREGORY DUCKWORTH, in his capacity as a  
Raleigh County Commissioner, THE FAYETTE  
COUNTY COMMISSION; JOSH BRENNEMEN, in  
his capacity as a Fayette County Commissioner;  
DENIS SCALPH, in her capacity as a Fayette County  
Commissioner; THOMAS LOUISOS, in his capacity  
as a Fayette County Commissioner; ALLISON  
TAYLOR, in her capacity as a Fayette County  
Commissioner; THE GREENBRIER COUNTY  
COMMISSION; BLAINE PHILLIPS, in his capacity  
as a Greenbrier County Commissioner; TAMMY  
TINCHER, in her capacity as a Greenbrier County  
Commissioner; LOWELL ROSE, in his capacity as a  
Greenbrier County Commissioner; THE MERCER  
COUNTY COMMISSION; GENE BUCKNER, in his  
capacity as a Mercer County Commissioner; GREG  
PUCKETT in his capacity as a Mercer County  
Commissioner; BILL ARCHER in his capacity as a  
Mercer County Commissioner; THE MONROE  
COUNTY COMMISSION; WILLIAM MILLER,  
in his capacity as a Monroe County Commissioner;  
KEVIN MANN in his capacity as a Monroe County  
Commissioner; KEVIN GALFORD, in his capacity  
as a Monroe County Commissioner; and MELVIN**

**YOUNG, in his capacity as a Monroe County Commissioner; THE SUMMERS COUNTY COMMISSION; JACK WOODRUM, in his capacity as a Summers County Commissioner; BILL LIGHTNER, in his capacity as a Summers County Commissioner; CHARLES SAUNDERS, in his capacity as a Summers County Commissioner; MIKE GORE, in his capacity as a Summers County Commissioner; TED KULA, in his capacity as a Summers County Commissioner; THE WYOMING COUNTY COMMISSION; RANDALLALIFF, in his capacity as a Wyoming County Commissioner; JASON MULLINS, in his capacity as a Wyoming County Commissioner; SAMUEL MUSCARI, SR., in his capacity as a Wyoming County Commissioner; PRIMECARE MEDICAL, INC.; THOMAS WEBER; BRETT BAVINGTON; TODD HESKINS; KRISTA VALLANDINGHAM; MELISSA JEFFERY; BRANDY EASTRIDGE, HELEN PERKINS; JESSICA MILLER; WEXFORD HEALTH SOURCES, INC.; MARY STONE; DANIEL CONN; ELAINE GEDMAN; JOHN FROELICH; HUMAYAN RASHID, M.D.; ANGELA NICHOLSON, MSN, APRN, FNP-C; AMBER DUCAN; LISA MULLENS, LPN; CASSEY BOLEN; JOHN PENNINGTON, MA, LPC, NCC, NCSC; KENNADI SMITH, LPN; RACHEL LEEDY, LPN; ASHLEY VALLANDINGHAM, LPN; BRITTANI MARSHALL, RN; AUTMN BLAIR, RN; JOYE MARTIN, MD; HANNAH WHITE, LPN; ASHLEY STROUP, LPN; DONNA DEAN-CHRIVIA; AND JOHN AND JANE DOE PRIMECARE AND WEXFORD EMPLOYEES,**

**Defendants.**

**RULE 41(a)(1)(A)(i) VOLUNTARY PARTIAL DISMISSAL**

COME NOW Plaintiffs, by undersigned counsel, and pursuant to Rule 41(a)(1)(A)(i) hereby voluntarily dismiss their claims set forth in the Third Amended Complaint against The Raleigh County Commission; David Tolliver; Linda Epling; Ron Henrick; Gregory Duckworth; The Fayette County Commission; Josh Brenemen; Dennis Scalph; Thomas Louisos; Allison

Taylor; The Greenbrier County Commission; Blaine Phillips; Tammy Tincher; Lowell Rose; The Mercer County Commission; Gene Buckner; Greg Puckett; Bill Archer; The Monroe County Commission; William Miller; Kevin Mann; Kevin Galford; Melvin Young; The Summers County Commission; Jack Woodrum; Bill Lightner; Charles Saunders; Mike Gore; Ted Kula; The Wyoming County Commission; Randall Aliff; Jason Mullins; and Samuel Muscari, Sr.

Further, Plaintiffs Michael Rose, Jacob Beavers, and Tyler Childers hereby dismiss their claims contained in the Third Amended Complaint inasmuch as they have stated no claim in a class representative capacity against remaining Defendants.

**MICHAEL D. ROSE, *et al.*, on their own  
behalf and on behalf of all those similarly  
situated,  
By Counsel**

/s/ Amanda J. Taylor  
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BECKLEY DIVISION**

**MICHAEL D. ROSE, et al.,**

**Plaintiffs,**

**v.**

**MICHAEL FRANCIS, et al.**

**Defendants.**

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**Civil Action No. 5:22-cv-00405  
(Judge Volk)**

**CERTIFICATE OF SERVICE**

The undersigned counsel for Plaintiffs hereby certifies that a true and correct copy of the foregoing *Rule 41(a)(1)(A)(i) Voluntary Partial Dismissal* was filed with the clerk on July 31, 2024, via the Court's CM-ECF Filing System which will provide electronic notification to all counsel of record.

/s/ Amanda J. Taylor

Amanda J. Taylor (WVSB No. 11635)